



CLET TRAINING

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RTO #31254

PRIVACY POLICY

Objective

This policy describes the practices and procedures by which CLET will ensure compliance with the relevant privacy legislation to protect the personal information and right to privacy of those that are detailed within the policy. The policy outlines how we collect and deal with information from individuals. This policy is made available free of charge and is hosted on our website at www.clet.edu.au

Applicable legislation

This policy implements the *Privacy Act 1988* (Cth) and the Australian Privacy Principles ('APP') which is outlined in Schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Cth). It is also written with consideration of the *Privacy Amendment (Notifiable Data Breaches) Act 2017*.

The Australian Privacy Principles replace the previous National Privacy Principles.

Scope

This policy applies to all personal and sensitive information collected by CLET in regard an individual.

Individual persons: means past and present staff, learners and other members of CLET.

Responsible parties

The Director is responsible for the control and issuance of this policy (this may be delegated).

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The Director has designated the duties and responsibilities contained within this policy to the Training Manager. Therefore, the training manager's duty is to action this policy. The designated contact details are:

Email: info@clet.edu.au

Phone: 1300 760 605

Complaints and appeals

If you have a complaint about our services regarding privacy, please contact CLET immediately.

The appropriate CLET staff member will provide an initial response to an individual's query or complaint with 48 hours and will resolve the query or complaint within 10 working days from receipt of formal notice of complaint. However, if the individual is not satisfied with the response, they may appeal the decision.

If they are still not satisfied, they may contact the Australian Privacy Commissioner on 1300 363 992 or <https://www.oaic.gov.au/about-us/contact-us/>

Security of individuals' records

Individuals' records are secured on our server with password and access level protection. Hard copies of records are secured and, when appropriate, securely destroyed.

The Training Manager and Director maintain a list of staff approved for record access. Record access by any external party is only provided where the need has been approved in writing by the individual record owner.

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Procedure

CLET will ensure that it respects the privacy of individuals by implementing the Australian Privacy Principles.

The APP in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* sets out how private and public sector organisations should collect, use, keep secure and disclose personal information.

The principles give individuals a right to know why and how personal information is collected and to whom it will be disclosed. Within the provisions of the Act, CLET will provide individuals access to their information and update and correct or remove information if requested by the individual.

CLET will ensure it operates consistently with the APP and only collect the personal information that is necessary for the conduct of its business, and that it will use that information in the manner for which it was intended.

Review

The Director will review the policy annually or earlier. Should there be relevant amendments to the respective Act or changes to the operation of CLET or the educational environment, these changes will be analysed and reflected in the policy.

The Director will ensure that any updates of amendments to this policy will be provided to staff and current learners.

Purpose of collecting information

The purposes for which CLET collects personal information of learners includes:

- satisfying legal obligations,
- administration,

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- to keep employers informed of the learner's progress in the course of study,
- allow CLET to discharge its duty of care.

The purposes for which CLET collects personal information of job applicants, staff members and contractors includes:

- satisfying legal obligations,
- insurance purposes,
- administering the individuals contract of employment.

Release of information

CLET must have the learner's permission in writing with reference to release of information, a form titled "Authority to Release Information" will need to be signed prior to the release of any information on behalf of a learner or staff member.

CLET is required to ask for the staff members permission in writing with reference to release of information.

Information collected

CLET collects personal information from individuals solely for the purpose of operating as a RTO under the VET Quality Framework administered by the Australian Skills Quality Authority who is the National VET Regulator (NVR) and pursuant to the *Standards for Registered Training Organisations (RTOs) 2015*. The requirements of the NVR may mean the release of learner or staff member's personal information for the purposes of an audit or performance assessment.

The type of information CLET collects and holds includes (but not limited to) personal information, including sensitive information, about:

- Learners and parents and/or guardians before, during and after the course of a learner's enrolment,

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- job applicants,
- staff members and contractors; and
- other people that come into contact with CLET.

The information media may take the form of:

- interviews,
- feedback surveys,
- email correspondence,
- telephone calls,
- third party information, and
- application forms.

Data will be uploaded to CLET's database.

Provision of information

Learner or staff information will not be provided to anyone unless CLET has the permission from the learner or staff member or is specifically required to provide the information by the authorisation of an Australian Law/Court order.

For example learner information is only given to the following bodies where required:

- ASQA: Australian Skills Quality Authority;
- STA: State Training Authorities;
- Employers where the learner is a Trainee; and
- Other information as authorised.



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While learners are undertaking the training program, there will be times when CLET and/or its relevant staff may need to discuss the learner's program with internal CLET staff and the National VET Regulator – ASQA and/or the learners employer.

Access to information

Under the Australian Privacy Principles, the learner or staff member can access his/her personal information free of charge and may update, correct, or delete inaccurate or outdated information about them.

By law there is certain information that a RTO must maintain for up to 30 years and so we are not at liberty to delete all data; you may clarify requests in this regard with the CLET directly.

Individuals requesting access to information about themselves will be identified and verified when transacting by phone.

Learners

Learners will have access to all information held on them. CLET will store and use the information appropriately and limit access to only those who have a legal reason to have access to that information, or whom the learner has given permission.

Learners who request access to their information will be given full access to the details they want. No cost will be charged for them accessing their information whilst they are enrolled learners. Access may be requested at any time by email, or internal learner message. Identity verification will occur.



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Staff

Staff will have access to all information we hold on them, and we will store and use the information appropriately and limit access to only those who have a legal reason to have access to that information, or whom the staff member has given permission.

Staff members who request access to their information will be given full access to the details they want. No cost will be charged for them accessing their information whilst they are employed at CLET. If the person is no longer an employee of CLET, and they request access of information there will be no fee involved. The request must be made in writing and identity will be verified.

Privacy principles

CLET abides by the [Australian Privacy Principles](#) and will not pass on learners or other staff member's information to anyone in any way that may be considered as breaching the Australian Privacy Principles.

Data provision requirements

Updated 1 March 2021

Pursuant to the *National Vocational Education and Training Regulator (Data Provisions Requirements) Instrument 2020*, and in accordance with the National VET Data Policy, RTO's are required to collect and submit data compliant with AVETMISS for the National VET Provider Collection for all Nationally Recognised Training. This data is held by the National Centre for Vocational Education Research Ltd (NCVER), and may be used and disclosed for the following purposes:

- populate authenticated VET transcripts;
- facilitate statistics and research relating to education, including surveys and data linkage;

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- pre-populate RTO learner enrolment forms;
- understand how the VET market operates, for policy, workforce planning and consumer information; and
- administer VET, including program administration, regulation, monitoring and evaluation.

You may receive a learner survey which may be administered by a government department or NCVET employee, agent or third party contractor or other authorised agencies. Please note you may opt out of the survey at the time of being contacted.

NCVER will collect, hold, use and disclose your personal information in accordance with the *Privacy Act 1988* (Cth), the National VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).